

Application No. 10/755,038
Information Disclosure Statement dated June 14, 2004
Attorney Docket No. 2111-040037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/755,038 Confirmation No.: 7887
Applicant : Avram Reuben Gold
Filed : January 9, 2004
Title : "Method of Treating Functional Somatic Syndromes
And Diagnosing Sleep Disorders Based on Functional
Somatic Syndrome Symptoms"
Group Art Unit : 3739
Examiner : Not Yet Assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements of 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant submits this Information Disclosure Statement together with a completed Form PTO/SB/08A. Copies of the cited U.S. patents are not required as this application was filed after June 30, 2003. Copies of foreign references and other documents identified on Form PTO/SB/08A are enclosed.

Since this Information Disclosure Statement is being submitted before the mailing date of a first Office Action on the merits, it is timely under 37 C.F.R. §1.97 (b)(3) and no fee is required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 14, 2004.

Michelle Pichora

(Name of Person Mailing Paper)

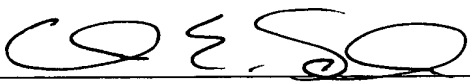
Michelle Pichora 06/14/2004
Signature Date

Application No. 10/755,038
Information Disclosure Statement dated June 14, 2004
Attorney Docket No. 2111-040037

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By 

Christian E. Schuster
Registration No. 43,908
Attorney for Applicant
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com



Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2001. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/755,038
Filing Date	January 9, 2004
First Named Inventor	Avram Reuben Gold
Group Art Unit	3739
Examiner Name	Not Yet Assigned
Attorney Docket Number	2111-040037

Sheet 2 of 4

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
		5,313,937		Zdrojkowski	05-24-1994	
		5,335,654		Rapoport	08-09-1994	
		5,343,878		Scarberry et al.	09-06-1994	
		5,373,859		Forney	12-20-1994	
		5,433,193		Sanders et al.	07-18-1995	
		5,458,137		Axe et al.	10-17-1995	
		5,409,017		Lowe	04-25-1995	
		5,490,502		Rapoport et al.	02-13-1996	
		5,522,862		Testerman et al.	06-04-1996	
		5,535,738		Estes et al.	07-16-1996	
		5,535,739		Rapoport et al.	07-16-1996	
		5,549,106		Gruenke et al.	08-27-1996	
		5,591,216		Testerman et al.	01-07-1997	
		5,632,269		Zdrojkowski	05-27-1997	
		5,645,053		Remmers et al.	07-08-1997	
		5,803,066		Rapoport et al.	09-08-1998	
		5,826,579		Remmers et al.	10-27-1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2001. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/755,038
Filing Date	January 9, 2004
First Named Inventor	Avram Reuben Gold
Group Art Unit	3739
Examiner Name	Not Yet Assigned
Attorney Docket Number	2111-040037

Sheet

3

of

4

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ²			
		5,704,345		Berthon-Jones	01-06-1998	
		5,794,615		Estes	08-18-1998	
		5,803,065		Zdrojowski et al.	09-08-1998	
		5,845,636		Gruenke et al.	12-08-1998	
		5,868,138		Halstrom	02-09-1999	
		5,915,385		Hakimi	06-29-1999	
		5,988,171		Sohn et al.	11-23-1999	
		6,029,664		Zdrojowski et al.	02-29-2000	
		6,029,665		Berthon-Jones	02-29-2000	
		6,087,747		Dhuler et al.	06-11-2000	
		6,092,523		Belfer	07-25-2000	
		6,105,573		Delaplane et al.	08-22-2000	
		6,138,675		Berthon-Jones	10-31-2000	
		6,212,435		Lattner et al.	04-03-2001	
		6,240,316		Richmond et al.	05-29-2001	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2001. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/755,038
				Filing Date	January 9, 2004
				First Named Inventor	Avram Reuben Gold
				Group Art Unit	3739
				Examiner Name	Not Yet Assigned
Sheet	4	of	4	Attorney Docket Number	2111-040037

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, cite and/or country where published.	T ²
		AVRAM R. GOLD, M.D. ET AL., "The Symptoms and Signs of Upper Airway Resistance Syndrome, A Link to the Functional Somatic Syndromes", Chest Journal (122/0) 2002 (www.chestjournal.org), pages 1-9.	
		AVRAM R. GOLD, M.D. ET AL., "Upper Airway Collapsibility During Sleep in Upper Airway Resistance Syndrome", Chest Journal (121/5) May 2002(www.chestjournal.org), pages 1531-1540.	
		GUILLEMINAULT, CHRISTIAN, M.D. ET AL., "Upper Airway Resistance Syndrome, Insomnia, and Functional Somatic Syndromes, Chest Journal (123/1) January 2003 (www.chestjournal.org), pages 12-13.	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.